

Exhibit 3

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Master File No. CV-07-5944-JST

MDL No. 1917

This Document Relates to:
All Indirect Purchaser Actions

**INDIRECT PURCHASER PLAINTIFFS'
REPLY RE: MOTION TO STRIKE
RELATING TO COOPER & KIRKHAM
P.C.'S DECEMBER 9, 2015, JANUARY 5,
2016 AND JANUARY 8, 2016 FILINGS**

Before: Special Master Martin Quinn, JAMS
Judge: Honorable Jon S. Tigar

Two points stand out in Objectors' opposition to the motion to strike. First, Objectors concede that Mr. Ganz's appearance as an "Objector" on the Case Anywhere service emails is an error that must be corrected.¹ That alone is grounds for granting the motion. Second, Objectors would not have taken so many steps to remove Mr. Ganz from the Case Anywhere system (*see* Opp'n at 2 & Declaration of John D. Bogdanov) had they not realized that his designation as an Objector created an issue. Objectors have been aware of the error for over a month. Yet during this entire time, they made no effort whatsoever to inform IPP Counsel either of their attempts to cure the error or of their inability to do so.

Rather than correct the problem, Objectors compound it by contending that the "motion is paranoid at best and frivolous at worst." Opp'n at 2. To the contrary, IPPs' motion has identified a very real problem that must be addressed. IPPs have challenged both the standing of Objectors and the timeliness of any objection by Mr. Ganz. IPPs could not take the risk that failure to challenge Mr. Ganz's appearance might be construed as a waiver.

Moreover, the appearance of Mr. Ganz on the Case Anywhere service emails was not the only indication that Cooper & Kirkham was attempting to insert Mr. Ganz into these proceedings to cure their standing problem. At the January 5, 2016 hearing, in response to questions from the Special Master, Messrs. Cooper and Scarpulla indicated that Mr. Cooper was bringing his objections on behalf of "his clients":

SPECIAL MASTER: But in bringing these objections that you both have made, you are not bringing them on behalf of your clients, you are bringing them in your capacity as class counsel in furtherance of your fiduciary duties, correct?

MR. SCARPULLA: I think Mr. Cooper is bringing it on behalf of his clients.

MR. COOPER: No, I think that's a fair statement from me.

Hearing Tr., 128:2-10.

¹ The JAMS Electronic Service List also states that Cooper & Kirkham represents "Steven Ganz (Objector)."

1 It is unclear from the transcript whether Mr. Cooper was responding to the Special Master
2 or Mr. Scarpulla in the foregoing exchange. But it appears that Mr. Cooper was confirming that his
3 objections were brought on behalf of his clients – Mr. Ganz.

4 The record should be clear that Mr. Ganz is not objecting to the settlements and that Cooper
5 & Kirkham is merely representing its own interests in doing so. The motion to strike should be
6 granted. Lead Counsel reserves the right to seek all other appropriate relief as a result of the
7 conduct of Cooper & Kirkham relating to this matter. A form of Order is submitted herewith.

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9 Dated: January 19, 2016

Respectfully submitted,

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